

UNITED STATES DISTRICT COURT  
for the  
Northern District of Ohio

County of Lincoln, NM \_\_\_\_\_ )  
Plaintiff \_\_\_\_\_ )  
v. \_\_\_\_\_ ) Civil Action No. 1:19-op-45513  
Amerisourcebergen Drug Corp., et al. \_\_\_\_\_ )  
Defendant \_\_\_\_\_ )

## WAIVER OF THE SERVICE OF SUMMONS

To: JAMES C. PETERSON  
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date: Sept. 16, 2019

Thomas C. Price

*Signature of the attorney or unrepresented party*

**KVK-Tech, Inc.**

Thomas E. Rice

*Printed name*

Baker Sterchi Cowden & Rice, LLC

2400 Pershing Road, Suite 500

Kansas City, MO 64108

*Address*

rice@bscr-law.com

*E-mail address*

(816) 471-2121

*Telephone number*

#### **Duty to Avoid Unnecessary Expenses of Serving a Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

UNITED STATES DISTRICT COURT  
for the  
Northern District of Ohio

County of Lincoln, NM

<i>Plaintiff</i>	)	
v.	)	
Amerisourcebergen Drug Corp., et al.	)	Civil Action No. 1:19-op-45513
<i>Defendant</i>	)	

**WAIVER OF THE SERVICE OF SUMMONS**

To: JAMES C. PETERSON

*(Name of the plaintiff's attorney or unrepresented plaintiff)*

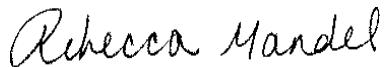
I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date: 10/15/2019



*Signature of the attorney or unrepresented party*

Mylan Pharmaceuticals Inc.

*Printed name of party waiving service of summons*

Rebecca C. Mandel

*Printed name*

Hogan Lovells US LLP

555 13th Street NW

Washington, D.C. 20004

*Address*

rebecca.mandel@hoganlovells.com

*E-mail address*

202-637-5488

*Telephone number*

**Duty to Avoid Unnecessary Expenses of Serving a Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

UNITED STATES DISTRICT COURT  
for the  
Northern District of Ohio

County of Lincoln New Mexico \_\_\_\_\_ )  
\_\_\_\_\_  
Plaintiff )  
v. )  
\_\_\_\_\_  
Amerisourcebergen Drug Corp., et al. ) Civil Action No. 1:19-op-45513  
\_\_\_\_\_  
Defendant )  
\_\_\_\_\_  
)

**WAIVER OF THE SERVICE OF SUMMONS**

To: James C. Peterson  
(*Name of the plaintiff's attorney or unrepresented plaintiff*)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 09/16/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 10/04/2019

*/s/ Sean Morris*

*Signature of the attorney or unrepresented party*

Par Pharmaceutical Companies, Inc.

*Printed name of party waiving service of summons*

**Sean Morris**

*Printed Name*

**Arnold & Porter Kaye Scholer LLP**  
777 S. Figueroa Street, 44th Floor  
Los Angeles, CA 90017

*Address*

[sean.morris@arnoldporter.com](mailto:sean.morris@arnoldporter.com)

*E-mail Address*

**213-243-4000**

*Telephone number*

**Duty to Avoid Unnecessary Expenses of Serving a Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

UNITED STATES DISTRICT COURT  
for the  
Northern District of Ohio

County of Lincoln New Mexico \_\_\_\_\_ )  
\_\_\_\_\_  
Plaintiff )  
v. )  
\_\_\_\_\_  
Amerisourcebergen Drug Corp., et al. ) Civil Action No. 1:19-op-45513  
\_\_\_\_\_  
Defendant )  
\_\_\_\_\_  
)

**WAIVER OF THE SERVICE OF SUMMONS**

To: James C. Peterson  
(*Name of the plaintiff's attorney or unrepresented plaintiff*)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 09/16/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 10/04/2019

*/s/ Sean Morris*

*Signature of the attorney or unrepresented party*

Par Pharmaceutical, Inc.

*Printed name of party waiving service of summons*

**Sean Morris**

*Printed Name*

**Arnold & Porter Kaye Scholer LLP**  
777 S. Figueroa Street, 44th Floor  
Los Angeles, CA 90017

*Address*

sean.morris@arnoldporter.com

*E-mail Address*

213-243-4000

*Telephone number*

**Duty to Avoid Unnecessary Expenses of Serving a Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

UNITED STATES DISTRICT COURT  
for the  
Northern District of Ohio

Board of County Commissioners of the County of  
Lincoln, New Mexico

*Plaintiff*

v.

AmerisourceBergen Drug Corporation, et al.

*Defendant*

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)  
)  
)

Civil Action No. 1:19-op-45513

**WAIVER OF THE SERVICE OF SUMMONS**

To: James C. Peterson

*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

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Date: 10/21/2019



*Signature of the attorney or unrepresented party*

Sandoz Inc.

*Printed name of party waiving service of summons*

Lori G. Cohen

*Printed name*

Greenberg Traurig, LLP

3333 Piedmont Rd. NE, Suite 2500

Atlanta, GA 30305

*Address*

cohenl@gtlaw.com

*E-mail address*

(678) 553-2100

*Telephone number*

**Duty to Avoid Unnecessary Expenses of Serving a Summons**

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If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

UNITED STATES DISTRICT COURT  
for the  
Northern District of Ohio

County of Lincoln New Mexico \_\_\_\_\_ )  
\_\_\_\_\_  
Plaintiff )  
v. )  
\_\_\_\_\_  
Amerisourcebergen Drug Corp., et al. ) Civil Action No. 1:19-op-45513  
\_\_\_\_\_  
Defendant )  
\_\_\_\_\_  
)

**WAIVER OF THE SERVICE OF SUMMONS**

To: James C. Peterson  
(Name of the plaintiff's attorney or unrepresented plaintiff)

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I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 09/16/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 10/16/2019

  
Signature of the attorney or unrepresented party

Andrew O. O'Connor

Printed Name

Ropes & Gray LLP  
Prudential Tower 800 Boylston Street  
Boston, MA 617-951-7000

Address

Andrew.O'Connor@ropesgray.com

E-mail Address

617-951-7000

Telephone number

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UNITED STATES DISTRICT COURT  
for the  
Northern District of Ohio

Board of County Commissioners of the County of Lincoln NM \_\_\_\_\_  
Plaintiff \_\_\_\_\_  
v. \_\_\_\_\_  
Amerisourcebergen Drup Corp., et al. \_\_\_\_\_  
Defendant \_\_\_\_\_  
)  
)  
)  
)  
Civil Action No. MDL 2804; 1:17-md-02804  
CA No.: 1:19-op-45513

**WAIVER OF THE SERVICE OF SUMMONS**

To: JAMES C. PETERSON  
(*Name of the plaintiff's attorney or unrepresented plaintiff*)

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Date: 9/25/2019

s/ Christopher Essig

*Signature of the attorney or unrepresented party*

Hikma Pharmaceuticals USA Inc.,  
f/k/a West-Ward Pharmaceuticals Corp.  
*Printed name of party waiving service of summons*

Christopher Essig

*Printed name*

WINSTON & STRAWN LLP  
35 W. Wacker Drive  
Chicago, IL 60601

*Address*

CEssig@winston.com

*E-mail address*

(312) 558-5600

*Telephone number*

**Duty to Avoid Unnecessary Expenses of Serving a Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

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If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

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